

## **REMARKS**

Applicants have carefully reviewed the Final Office Action mailed on June 6, 2007 and the Advisory Action mailed August 22, 2007. Applicants respectfully traverse (and do not concede) all objections, rejections, adverse statements, and adverse assertions made by the Examiner. With this request for continued examination, claims 2 and 15 remain pending.

### **Prior Claim Rejections Under 35 U.S.C. §§102 and 103**

Applicants note that in the Amendment filed August 6, 2007, Applicants cancelled all of the claims except for claims 2 and 15, thus rendering all rejections from the Final Office Action pertaining to claims other than claims 2 and 15 moot.

### **Claim Rejections Under 35 U.S.C. §103**

Claims 2 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Meyer et al. (U.S. Patent No. 7,186,237) or Termin et al. (U.S. Patent No. 5,221,261) in view of Bradshaw (U.S. Patent No. 6,450,988). In the Advisory Action, the Examiner indicated that Applicants' arguments (where Applicants argued that "Bradshaw does not teach protrusions on a traction member") are not convincing because "Bradshaw is only relied on for teaching the shape of the protrusions, not the location of them." We believe that the Examiner's logic is flawed.

MPEP §2143 states that in order to establish a *prima facie* case of obviousness all the claim limitations must be taught or suggested. Claim 2 recites that the one or more gripping surfaces are defined by one or more bumps disposed on the body portion (of the traction member). Similarly, claim 15 recites that the gripping region is defined by one or more bumps disposed on the traction member.

The Examiner has admitted that neither Meyer et al. nor Termin et al. disclose a gripping surface/region defined by one or more bumps on (the body portion) the traction member. Indeed, neither the flexible elongate elements 61 nor the fixation member 90 appear to have any surface protrusions or bumps. Thus, neither of these references teach or suggest all the claim limitations and, therefore, cannot support a rejection under 35 U.S.C. §103.

However, the Examiner indicated that "Bradshaw discloses a balloon catheter, wherein the balloon comprises a region of helical lobes 26 with protruding knobs 30 that engage the vessel wall to prevent the balloon from becoming dislodged from the site within the vessel". We first note, as we did in the last reply, that applying the teaching of Bradshaw to Meyer et al.

and/or Termin et al. would only result in knobs 30 being disposed on the balloons of Meyer et al. and/or Termin et al. The resultant combination would not teach or suggest all the limitations of claims 2 or 15.

Additionally taking into account the Examiner's contention that "Bradshaw is only relied on for teaching the shape of the protrusions, not the location of them", nothing in either Meyer et al. or Termin et al. teaches or suggests that the "traction members" therein can or should bear any protrusions whatsoever. For example, nothing in Meyer et al. teaches or suggests that the flexible elongate elements 61 may bear any sort of protrusions, let alone one or more bumps. Similarly, nothing in Termin et al. teaches or suggest that the fixation member 90 may have any type of protrusions. Thus, providing Bradshaw to support a particular shape of a structure is irrelevant when none of the other cited art teaches the structure.

Based on the forgoing remarks, Applicants respectfully submit that the Examiner has not properly established a *prima facie* case of obviousness for claims 2 and 15. Consequently, Applicants respectfully submit that the rejection of claims 2 and 15 should be withdrawn in due course.

### **Conclusion**

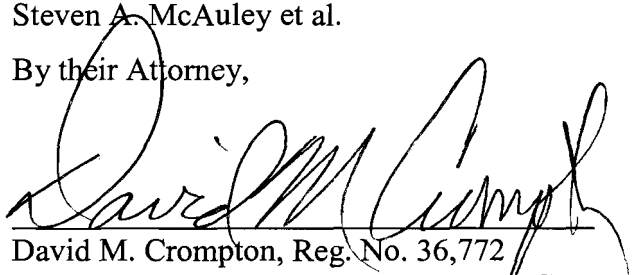
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Steven A. McAuley et al.

By their Attorney,

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